

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES vs. David James	For U. S.: James E. Ritchie For Defendant: <i>583-1291</i> Jack B. English (Ct.Apt.) <i>Per the court 2/1/68</i>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed <i>8-31-67</i>	Clerk	10-2-67	David James	7 15	
J.S. 3 mailed <i>10-2-67</i>	Marshal	10-5-67	CD 15		7 15
<i>11-30-70 Suppl.</i>		11-1-67	David James	7 15	
Violation Forgery	Docket fee	11-2-67	CD 19		7 15
		12-11-67	David James	7 15	
		12-14-67	CD 25		7 15
Title 18		1-3-68	David James	7 15	
Sec. 495		1-8-68	CD 29		7 15
		2-12-68	David James	7 15	
		2-15-68	CD 35		7 15
		4-16-68	David James	14 30	
		4-18-68	CD 45		14 30
		6-3-68	David James	7 15	
		6-6-68	CD 52		7 15
		7-29-69	David James	7 15	14 30
		7-31-69	C/D 5		7 15

DATE	PROCEEDINGS
8-23-67	Defendant present in person and represented. Defendant waived indictment, waiver signed, approved and filed in open court. Information filed in open court, waived reading, copy delivered to defendant. Petition to enter plea of guilty filed. Defendant arraigned and enters plea of GUILTY. Defendant adjudged GUILTY as charged, and sentence passed to Tuesday 9-5-67 at 10:00 A.M. (AEB-J)h
8-23-67	Personal appearance bond of the defendant, in the sum of \$500.00, filed.
8-23-67	Order specifying methods and conditions of release, filed. b
19-5-67	Defendant present in person and represented.
	Judgment and Sentence- David James (Age 27)
	Probation for 3 yrs from this date, and
	committed fine in the amount of \$194.34 to be paid in 2 years from this date, at rate of \$7.15 per month to commence October 1, 1967. (AEB-J)
19-5-67	Order of Probation filed and entered. (AEB-J)h
19-5-67	Two c.c. of Order of Prob. delivered to Prob. Officer. h
10-19-70	Application and order of Court for arrest of Probationer, filed. (AEB-J)
	Warrant issued. m

Continued next page

DATE	PROCEEDINGS
11-2-70	Hearing held on order for defendant David James to show cause why probation should not be revoked. Defendant present in person and represented. It is adjudged that the probation of the defendant be and it is hereby revoked and he is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of Eighteen (18) Months. (Allen E. Barrow-Judge)h
11-2-70	Order of J&C filed and entered. (AEB-J)h
11-2-70	Two c.c. of above delivered to USM.h
11-6-70	Return of Warrant for Arrest of Probationer. By arresting the within named David James at Tulsa, Oklahoma on 10-20-70. (Fee \$6.60) Filed. v
11-30-70	c.c. J & C, returned & filed: defendant delivered to USP, Leavenworth, Kansas on 11-21-70. g
3-2-71	Application of defendant to review sentence, filed. b
4-21-71	Case set for hearing on application of deft. to review sentence on 4-26-71 at 2:00 p.m. before Magist. Bradford. (AEB-J)m
4-26-71	Case called for hearing on application of defendant to review sentence. Defendant/ ^{not} present and represented. Attory for defendant instructed to file brief in support of application by 4-29-71, and ruling passed to 4-30-71 at 9:30 A.M. (MLB-USM)h
4-30-71	Defendant not present and represented by Jack B. English. Ruling on application heard before U.S Magistrate. Counsel for def. given until 5-4-71 at 9:30 to submit brief. (MLB-USM)h
5-6-71	Hearing held on ruling on application of def. to review sentence. Defendant appeared by counsel. Court overrules motion for review of sentence for lack of jurisdiction under Rule 35 which requires action by the court within 120 days from date of sentence. (MLB-USMagistrate) h
6-16-71	Order modifying judgment and sentence, filed and entered. Judgment entered on 11-3-70 is modified to revoke and set aside order of probation entered 9-5-67. It is the intent of this order that David James, defendant, be released from custody on 6-30-71. (AEB-J) ds

Continued From Page 1

DATE	NAME OR RECEIPT NO.	REC.	DISB.
1969			
10-7	James	7 15	
10-9-69	C/D 16		7 15
1970			
8-5	James	14 00	
8-6	C.D. No 7		14 00
3-2-71	James	108 84	
3-4-71	C.D.No.39		108 84

UNITED STATES COMMISSIONER
Northern DISTRICT OF Oklahoma

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE MILAM M. EWING

(Name of commissioner)

FEDERAL BUILDING, TULSA, OKLAHOMA.

(Address)

COMMISSIONER'S
DOCKET No. 2 CASE No. 822
THE UNITED STATES
vs.
DAVID JAMES (27)

Complaint filed on Aug. 8, 1967, by William D. Berkshire
Official title U.S. Secret Service, charging violation of
United States Code, Title 18, Section 495, on April 5,
1966, at Tulsa, Oklahoma, in the
division of the Northern district of Oklahoma.
as follows: falsely make, forge & counterfeit a writing
that is, the endorsement of the payee on a check, to wit:
the words "Lawrence H. Vann" on the back thereof, for the
purpose of obtaining from the U.S. & from its officers
& agts. a sum of money, the check being a genuine ob-
ligation of the U.S. Check No. 6886859 Sym. 1075, date
3-31-66, in amount of \$97.17, payable to Lawrence H.
Vann.

WARRANTS OR SUMMONS ISSUED:

Date August 8, 1967 Warrant/Summons for David James

(Name of defendant)

to (name and title of officer) To Any U. S. Marshal

Substance of return Arrested by: William D. Berkshire, U.S. Secret Service

Date Warrant/Summons for

to (name and title of officer)

Substance of return

FILED

16, 822
AUG 11 1967

(Name of defendant)

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER: Ewing.

NOBLE C. HOOD

Date Aug. 8, 1967 Arrested by William D. Berkshire
U.S. Secret Service.

Clerk, U. S. District Court
on warrant of Milam M. Ewing.
U.S. Commissioner, (Name of Issuing officer)
without warrant.

Appearances { for United States

(Name)

(Address)

for accused

(Name)

(Address)

Proceedings taken Above defendant presented, advised of charge filed against him,

his right to counsel and a preliminary hearing. Def't. WAIVED counsel for the

purpose of this hearing and signed WAIVER, also WAIVED preliminary hearing. He

if that is the fact; any adjournments taken, etc.

was advised bond fixed at \$1000.00, he was allowed to sign own bond and released

Counsel Jack B. English, appointed to represent defendant in Court.

Outcome Held for Court Action.

Bail fixed Aug. 8, 1967, 19 Amount, \$ 1000.00 Bonded Aug. 8, 1967, 19, by cash
deposited by (name) Address
transmitted to clerk of district court
(name) David James Address 519 E. King St, Tulsa, Okla.
(name) Address, who
justified by affidavit dated August 8, 1967, [or] committed to
on, 19

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness)_____
at request of (name of party)_____
Substance of return_____
_____, 19____, for (name of witness)_____
at request of (name of party)_____
Substance of return_____
_____, 19____, for (name of witness)_____
at request of (name of party)_____
Substance of return_____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date_____Appearances for

United States

(Name)

(Address)

Accused

(Name)

(Address)

WITNESSES FOR UNITED STATES:

(List names and addresses)

WITNESSES FOR ACCUSED:

(List names and addresses)

Witness payroll containing_____names certified to United States Marshal for payment_____, 19____
Proceedings taken_____

Outcome_____

Bail fixed_____, 19____ Amount, \$_____ Bonded_____, 19____, by cash
deposited by (name)_____ Address_____
transmitted to clerk of district court_____, 19____
[or] by surety (names)_____ Address_____
and_____ Address_____
who justified by affidavit_____, 19____ Committed to_____
on_____, 19____

Certified to be a correct transcript.

Made this 9th day of August, 19 67

Transmitted to Clerk of United States District Court for the Northern
district of Oklahoma, August 9th, 19 67

M. M. Ewing

United States Commissioner.